

U.S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA

CRIMINAL CASE NO. 2:01CR20054-01

VERSUS

JUDGE HAIK

BILLY JEROD MITCHELL

MAGISTRATE JUDGE HANNA

## CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

  X   The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

       The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Lafayette, Louisiana, this 23<sup>rd</sup> day of April, 2013.

Richard T. Haik, Sr.  
Richard T. Haik, Sr.  
UNITED STATES DISTRICT JUDGE